

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SANTA BARBARA ENACTING CHAPTER 41 OF THE COUNTY CODE
RELATING TO REGISTRATION OF DOMESTIC PARTNERSHIPS

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA
ORDAINS AS FOLLOWS:

SECTION 1. Chapter 41 **Domestic Partnership Registration** is added to the County Code to read as follows:

41-1 Domestic Partnerships Defined: County Clerk-Recorder Registration. Two persons may declare that a “Domestic Partnership” exists between them regardless of their gender, and each of them shall be the “domestic partner” of the other if they both complete, sign, and cause to be filed with the Santa Barbara County Clerk-Recorder a “Statement of Domestic Partnership” attesting to the following:

1. The two parties reside together and share the common necessities of life.
2. The two parties are not married to anyone.
3. The two parties are at least (18) eighteen years of age or older.
4. The two parties are not related by blood so close as to bar marriage in the State of California and are mentally competent to consent to contract. For purposes of this provision, “related by blood” includes two parties who are siblings or relatives whether of the same sex or opposite sexes.
5. The two parties are each other’s sole domestic partner and intend to remain so indefinitely and are responsible for their common welfare.
6. The two parties agree to file a Statement of Termination of Domestic Partnership with the Santa Barbara County Clerk-Recorder if any of the declarations of the Statement of Domestic Partnership cease to be true.
7. The two parties understand that the registration of the Statement of Domestic Partnership with the Santa Barbara County Clerk-Recorder constitutes a filing of a domestic partnership of continuous duration until either of the parties files a Statement of Termination or Statement of Death of Domestic Partner.

8. Neither of the parties has filed a Statement of Termination within the previous six (6) months. In case of death of either party, this provision is waived.
9. The two parties understand that they are solely responsible for any and all statements made in a Statement of Domestic Partnership, and for any losses or damages caused thereby, and that they will hold the County of Santa Barbara harmless from any liability arising out of or relating to any Statement of Domestic Partnership that is filed with the County of Santa Barbara.

41-2 Termination of a Domestic Partnership. A party to a domestic partnership may end said relationship by filing a Statement of Termination of Domestic Partnership with the Santa Barbara County Clerk-Recorder. In the Statement of Termination, the individual will be required to affirm under penalty of perjury that the partnership is terminated, and that a copy of the Statement of Termination was mailed or delivered to the other party. In case of the death of either party to a Domestic Partnership, a Statement of Death of Domestic Partner, along with a certified copy of the death certificate, shall be filed with the County Clerk-Recorder.

41-3 Filing of Subsequent Statements of Domestic Partner Relationship. No individual who has filed a Statement of Domestic Partnership may file another such Statement until one hundred eighty (180) days after a Statement of Termination of Domestic Partnership terminating the previous partnership has been filed with the Santa Barbara County Clerk-Recorder. In case of death of either party, this provision is waived.

41-4 Administrative Procedures and Fees. The County Clerk-Recorder shall maintain a registry of Domestic Partnership Statements, Amendments and Terminations. The County Clerk-Recorder shall provide the partners certificates showing that a Statement of Domestic Partnership was filed. The registry and Statements shall be maintained as public records. The County Clerk-Recorder shall adopt procedures for the administration of the Registry. The Board of Supervisors shall by resolution establish the fees for filing domestic partnership statements, amendments and terminations. The costs shall not exceed the County Clerk-Recorder's actual costs of administering this Chapter.

41-5 Electronic Storage. In lieu of maintaining original documents, the County Clerk-Recorder may apply documents into an electronic storage media and destroy original documents, consistent with State law.

41-6 No Cause of Action. This Chapter is not intended to create any private or public cause of action for any person or entity.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it or a summary of it, shall be published once, with the names of the Board of Supervisors voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 1999 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
CLERK OF BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
COUNTY COUNSEL

By _____

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